

HOME (POLICE) DEPARTMENT

The 7th June, 1976

No. 9200 B (2) Officiating Promotion (.)—The Governor of Haryana was pleased to promote Shri Baldev Singh Officiating Deputy Superintendent (Office) Central Police Office, Haryana as officiating Superintendent (Office), 'A' Class in the pay scale of Rs. 500—30—650/30—800/850 and to post him in the C. P. O. Haryana Chandigarh, where he took over charge of his duties on the afternoon of 19th May, 1976.

The 7th July, 1976

No. 11406 B(SA) Leave—The Governor of Haryana is pleased to sanction 40 days Earned Leave from 6th June, 1976 to 15th July, 1976 to Shri Koshy Koshy, I. P. S. Assistant Superintendent of police, Rohtak, under rule 11 of All India Services (Leave) Rule, 1955.

After the expiry of leave, he is likely to return to a post, carrying same pay and allowances.

The 10th July, 1976

No. 11724/B(2)—On expiry of 60 days earned leave, the Governor of Haryana is pleased to post Shri Dewan Chand Kapoor, Superintendent (Office) in C. I. D., Haryana, Chandigarh, where he assumed charge of his duties on 9th July, 1976 (forenoon).

The 12th July, 1976

No. 11784/B(SA2) (.) Leave—The Governor of Haryana was pleased to grant 23 days earned leave from 5th May, 1976 to 27th May, 1976 under rule 8,116 of the Punjab CSR Vol-I Part I, to Shri Ram Chander, Deputy Superintendent of Police Rewari, On the expiry of leave, he assumed the charge of the office of the Deputy Superintendent of Police, Rewari on the afternoon of 27th May, 1976.

S. S. BAJWA,
Joint Secretary.

DEPARTMENT OF TOURISM

The 5th July, 1976

No. 4092-6PP-76/17916—In pursuance of the provisions of Section 48 of the Land Acquisition Act, 1894, and all other powers enabling him in this behalf, the Governor of Haryana hereby withdraws from acquisition the land specified below with respect of which notifications under section 4 and 6 of the said Act, were issued,—vide Tourism Department Notification No. 7298-6PP-75/33530-A, dated 19th November, 1975 and No. 771-6PP-76/3748 dated 10th February, 1976.

SPECIFICATION

District	Tehsil	Locality/ Village	Khasra No.	Area	
				Kanals	Marlas
Kurukshetra	Thanesar	Dera Kalan	201	5	11
			14/1, 17/2, 17/3		
			Min South		

ASHOK PAHWA, Joint Secy.

LABOUR DEPARTMENT

The 12th July, 1976

No. 6438-4Lab-76/19319—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Vishkarma Iron Workshop, Railway Road, Safidon Mandi, Safidon (Jind).

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 18 of 1976

Between

SHRI SAT PARKASH WORKMAN AND THE MANAGEMENT OF M/S VISHKARMA IRON
WORKSHOP, RAILWAY ROAD, SAFIDON MANDI, SAFIDON (JIND).

AWARD

By order No. ID/KNL/220-A-75/8696, dated 2nd March, 1976 of the Governor of Haryana, the following dispute between the management of M/s. Vishkarma Iron Workshop, Safidon Mandi, Safidon (Jind) and its workman Shri Sat Parkash, was referred to this Court, for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

“Whether the termination of services of Shri Sat Parkash was justified and in order ? If not to what relief is he entitled ?

Shri Harish Bagi, authorised representative for the workman put in his appearance before me on 16th June, 1976 at panipat in response to usual notices of reference sent to the later and made a statement that the dispute as referred to this Court had been amicably settled between the parties and that the demand leading to the reference be treated as withdrawn.

I, thus, in view, of the aforesaid statement of Shri Harish Bagi, hold that there is now no dispute between the parties requiring adjudication.

I, thus, answer the reference while returning the award in these terms.

Dated the 24th June, 1976.

MOHAN LAL, JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1563, dated 29th June, 1976

Forwarded (four copies) to the Secretary, to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 6364-Lab-76/19321.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Buta Singh and Brothers, 12/1, Mathura Road, Faridabad:—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 59 of 1976

between

WORKMAN AND THE MANAGEMENT OF M/S BUTA SINGH AND BROTHERS, 12/1,
MATHURA ROAD, FARIDABAD

AWARD

By order No. ID/FD/3-B-75/8458, dated 1st March, 1976 of the Governor of Haryana, the following disputes between the management of M/s Buta Singh and Brothers, Mathura Road, Faridabad

and its workmen, were referred to this Tribunal for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

1. Whether the workmen are entitled to the grant of bonus for the year 1974-75? If so, with what details?

2. Whether the workmen should be supplied with uniforms? If so, with what details?

The parties put in their appearance before me and filed their pleadings.

The case was fixed for filing rejoinder by the workmen, for 24th June, 1976 when Shri Bhim Singh Yadav, their authorised representative made a statement that the demand relating to dispute No. 1 had been satisfied and that the workmen did not propose to pursue the demand relating to dispute No. 2 and that the same be treated as withdrawn.

It would, thus, appear from the statement of Shri Bhim Singh Yadav that there is now no dispute between the parties requiring adjudication, I, thus, answer the reference while returning a no dispute award.

Dated 25th June, 1976.

MOHAN LAL JAIN,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 726, dated 25th June, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 25th June, 1976.

MOHAN LAL JAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 6367-4Lab-76/19323.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Sharco Industries Private Ltd., 12/6, Mathura Road, Faridabad.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 56 of 1972

between

SHRI PAT RAM, WORKMAN AND THE MANAGEMENT OF M/S SHARCO
INDUSTRIES PRIVATE LTD., 12/6, MATHURA ROAD, FARIDABAD

AWARD

By order No. ID/FD/36303-307, dated 3rd October, 1972 of the Governor of Haryana, the following dispute between the management of M/S. Sharco Industries Private Ltd., Mathura Road, Faridabad and its workman Shri Pat Ram, was referred to this Tribunal for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Pat Ram was justified and in order? If not, to what relief is he entitled?

The parties put in their appearance in this Tribunal in response to the usual notices of reference sent to them and filed their pleadings giving rise to an issue as per terms of the dispute stated above, framed,—*vide* order dated 14th March, 1973.

The parties having closed their evidence on the issue framed, the case was fixed for hearing of arguments for 9th August, 1976. The parties, however, in the meantime made an application before me on 23rd June, 1976 praying for recording a settlement arrived at between them. The records of the case was ordered to be put up before me and the statements of the parties were recorded.

Shri Pat Ram, workman made a statement that he had received Rs. 335/- in cash from the management in full and final satisfaction of the demand raised by him on them leading to this reference

and the demand be now treated as fully satisfied and withdrawn. Shri P. K. Jain appearing for the management agreed to this statement.

It would, thus, appear from the statements of the parties, that the demand raised by the workman has been satisfied and that now there is no dispute between the parties requiring adjudication. I, accordingly, answer the reference while returning the award in these terms.

Dated 25th June, 1976.

MOHAN LAL JAIN,

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

No. 727, dated 25th June, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

Dated 25th June, 1976.

No. 6402-4Lab-76/19529.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Haryana Textile, Rohtak Road, Bhiwani:—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 73 of 1974

between -

SHRI BANSHI LAL YADAV, WORKMAN AND THE MANAGEMENT OF M/S HARYANA
TEXTILE, ROHTAK ROAD, BHIWANI

AWARD

By order No. ID/HSR/113-B-74/35489-93, dated 17th October, 1974 of the Governor of Haryana, the following dispute between the management of M/s Haryana Textile, Bhiwani and its workman Shri Banshi Lal Yadav, was referred to this Labour Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Banshi Lal Yadav was justified and in order?
If not, to what relief is he entitled?

The parties put in their appearance before me in response to the usual notices of reference sent to them and filed their pleadings.

Whereas the workman alleged,—*vide* claim statement filed by him that his services as Chhataiwala in carding section on wages at Rs. 139.25 paises per mensem had been terminated by the management on 18th April, 1974 without assigning any reason, in order to victimise him for his trade union activities, the management pleaded,—*vide* written statement filed by them that the workman abandoned his job of his own accord on 18th April, 1974 by absenting himself from duty on that date and there-after. The management also pleaded that the Conciliation Officer did not give them proper opportunity to plead their case before him and the reference was bad on this account as well. They denied to have terminated the services of the workman and further pleaded that the claim statement did not bear the signatures of the workman.

The workman controverted the pleas of the management,—*vide* rejoinder filed by him and reiterated the allegations made by him in the claim statement with the result that the following issues were framed on pleas of the parties,—*vide* order dated 29th October, 1975:—

- (1) Whether the reference as made by the Government for adjudication is bad in law for reasons stated in the preliminary objections?
- (2) Whether the signatures of the workman appearing on the statement of claim are not that of the workman?
- (3) In case of proof of issue No. 2 what is the effect?
- (4) Whether the workman voluntarily abandoned his service of his own accord on 18th April, 1974?
- (5) Whether the termination of services of the workman was justified and in order? If not, to what relief is he entitled?

The management failed to adduce evidence on issues framed, despite two opportunities being given to them for that purpose. Neither they were able to examine any witness of their own nor did they summon any person through this court till 14th June, 1976 when their evidence was closed by me,—*vide* my detailed order.

The workman appeared as his own witness and fully corroborated his case while stating that he never absented himself from duty and did not abandon his job voluntarily and that his services, on the other hand, were terminated by the management in order to victimise him for his trade union activities by way of shutting his entry in the premises of the factory on 18th May, 1974. He added that he made complaints to the management regarding his transfer by the management from carding department to Dyeing department and that they did not reply any of his letters. He brought on record the copies of these letters Exhibits W. 1 and W. 3 and the copy of the letter sent by him to the Labour Inspector and the copy of the notice of demand sent by him to the management, Exhibits W. 5 and W. 6.

I, see no reason to disbelieve the statement of Shri Banshi Lal Yadav, workman concerned particularly when he remained un-cross-examine and not a single question was put to him by Shri I. C. Gupta, authorised representative for the management in order to assail his testimony and no evidence could be led by the management in support of the pleas taken by them.

I, thus, in absence of the evidence for the management on the issues framed and fully relying on the statement of Shri Banshi Lal, workman concerned decide all the issues against the management and hold that the services of the workman were terminated by the management unjustifiably and that the former is entitled to reinstatement with effect from 18th May, 1974 with continuity of service and full back wages. I, accordingly, answer the reference while returning the award in these terms.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Dated 18th June, 1976

No. 2531, dated 25th June, 1976

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL, JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 6365-4Lab-76/19531.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the Management of M/S Universal Steel and Alloys Limited, Faridabad.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 48 of 1975

Between

THE WORKMEN AND THE MANAGEMENT OF M/S. UNIVERSAL STEEL AND
ALLOYS LIMITED, FARIDABAD

AWARD

By order No. ID/FD/75/12828-32, dated 7th March, 1975, of the Governor of Haryana, the following dispute between the management of M/s. Universal Steel and Alloys Limited, Faridabad and its workmen, was referred to this Tribunal for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

(1) Whether the workmen are entitled to the grant of dearness allowance ? If not, with what details ?

(2) Whether the workmen should be supplied with uniforms ? If so, with what details ?

The parties put in their appearance in this Tribunal in response to the usual notices of reference sent to them and filed their pleadings giving rise to issues framed,—*vide* order dated 10th May, 1976, as per disputes stated above.

The workmen were directed to adduce their evidence on 21st June, 1976 but they failed to appear on that date even though Shri B. P. Thaleur, authorised representative for the management, was present, with the result that *ex parte* proceedings were taken up against them, and their evidence had unavoidably to be closed.

The burden of issues having thus remained undischarged decide the same against the workmen with the result that they are not entitled to either grant of dearness allowance or supply of uniforms. I, thus, answer the reference while returning the award in these terms.

Dated 23rd June, 1976.

MOHAN LAL JAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 722, dated 24th June, 1976

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 24th June, 1976.

MOHAN LAL JAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 6360-4Lab-76/19533.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Springs and Stampings Incorporated, 22-B, Industrial Area, Faridabad.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA FARIDABAD

Reference No. 82 of 1972

between

SHRI KARTAR SINGH, WORKMAN AND THE MANAGEMENT OF M/S SPRINGS AND
STAMPINGS INCORPORATED, 22-B, INDUSTRIAL AREA, FARIDABAD

AWARD

By order No. ID/FD/72/40695-99, dated 23rd November, 1972, of the Governor of Haryana, the following dispute between the management of M/s Springs and Stampings Incorporated, Industrial Area, Faridabad and its workman Shri Kartar Singh, was referred to this Tribunal for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Kartar Singh was justified and in order ? If not, to what relief is he entitled ?

The parties put in their appearance in this Tribunal in response to the usual notices of reference sent to them and filed their pleadings giving rise to the following issues framed,—*vide* order dated 10th October, 1974:—

- (1) Whether the demand, the subject-matter of the present reference, was not first raised on the management and rejected by it before taking up the matter for conciliation? If so, with what effect?
- (2) Whether the claim of the workman is vague, indefinite? If so, with what effect?
- (3) Whether the present reference under section 2-A of the Industrial Disputes Act, 1947, is invalid for reasons given in para No. 3 of the preliminary objections of the written statement by the management?
- (4) Whether the termination of services of Shri Kartar Singh was justified and in order? If not, to what relief is he entitled?

The case was fixed for 8th June, 1976, for recording evidence of the management when their authorised representative Shri A. R. Handa represented that the workman concerned had settled the dispute amicably. He was directed to produce the settlement,—*vide* order dated 8th June, 1976. He brought on record the resignation dated 25th November, 1975 Ex. M. 1, alleged to have been signed by the workman and the copy of the voucher, Ex. M. 2, relating to payment to the workman of a sum of Rs. 34.35 Ps. in full and final settlement of his accounts. Shri Darshan Singh, authorised representative for the workman, pleaded want of instruction from the later on 23rd June, 1976, when the aforesaid documents were brought on record by Shri A. R. Handa.

Shri A. R. Handa deposed while relying on the resignation, Ex. M. 1 and copy of the voucher, Ex. M. 2, that the workman had submitted his resignation which had been duly accepted and that he had received Rs. 34.35 Ps. in full and final settlement of all his claims against them including that of his reinstatement.

I see no reason to disbelieve the statement of Shri A. R. Handa particularly when the workman did not appear to rebut the same and his authorised representative Shri Darshan Singh pleaded want of instruction from him. I, thus, relying on the testimony of Shri A. R. Handa hold that the workman submitted his resignation, Ex. M. 1, before the management, and received Rs. 34.35 Paise in full and final settlement of all his claims against the management including that of his reinstatement,—*vide* voucher dated 13th February, 1976, copy Ex. M. 2. I find it stated in the resignation that the workman did not propose to pursue the demand leading to the reference pending in this Tribunal. I am, thus, satisfied that the workman has withdrawn the demand leading to the reference and does not propose to pursue the same. This conclusion is found further corroborated and strengthened by the fact of want of instructions to Shri Darshan Singh, authorised representative of the workman, from the later.

I, thus, hold that the workman has withdrawn his demand,—*vide* resignation, Ex. M. 1 and that there is now no dispute between the parties requiring adjudication. I, therefore, answer the reference while returning a no-dispute award.

MOHAN LAL JAIN,

Dated the 25th June, 1976.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 725, dated 25th June, 1976

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Dated the 25th June, 1975

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 6401-4Lab-76/19535.—In pursuance of the provisions of section 15 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following Corrigendum of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Bhiwani Textile Mills, Bhiwani:—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Miscellaneous Application No. 14 of 1976 in Reference No. 61 of 1975

between

SHRI DEV NARAIN, WORKMAN AND THE MANAGEMENT OF M/S BHIWANI TEXTILE
MILLS, BHIWANI.

CORRIGENDUM

This is an application made for correction of a clerical mistake made in the award dated 3rd February, 1976.

After having read the statements of the parties made by way of settlement and award dated 3rd February, 1976, made by me, I find that an *ex-gratia* payment of 22% of the wages of the workman was allowed to the workman,—*vide* award dated 3rd February, 1976, instead of 25% of his wages as actually agreed upon by the parties and the mistake occurred as a result of accidental slip and omission.

Even the management has no objection to the correction of award to this extent. I, accordingly, order that the award dated 3rd February, 1976, be corrected so as to allow the workman an *ex-gratia* payment of his wages for the period from 20th December, 1974 to 29th January, 1976 at 25% instead of 22% actually allowed.

Dated the 18th June, 1976

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana
Rohtak.

No. 1530, dated 25th June, 1976

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947, read with rule 28 of the Industrial Dispute (Punjab) Rules as amended by Industrial Dispute, Punjab Haryana 1st Amendment Rules, 1976.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

P. P. CAPRIHAN, Commr. & Secy.

The 9th/13th July, 1976

No. 6264-5Lab-76/17956.—In exercise of the powers conferred by section 87 read with section 91A of the Employee's State Insurance Act, 1948 (Central Act 34 of 1948), the Governor of Haryana hereby exempts the under-mentioned factories and establishments engaged in the manufacturing processes in the State of Haryana from the operation of the said Act with effect from the 1st July, 1975 to the 30th June, 1976, namely:—

Table	Conditions
1. Redrying unmanufactured leaf tobacco.	
2. Rice Milling.	
3. Cold Storages (with manufacturing of ice).	
4. Salt manufacture.	
5. Ice manufacture.	
6. Wool-pressing either with or without cotton pressing and ginning.	
7. Oil Mills.	
	Provided that process of Oil milling is subsidiary to any other manufacturing processes which is seasonal and so long as the number of employees engaged in Oil Milling is less than fifty.

P. P. CAPRIHAN, Secy.